

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES FREER,

Petitioner,

ORDER

v.

08-cv-135-bbc

MICHAEL THURMER, Warden,
Waupun Correctional Institution,

Respondent.

Petitioner James Freer has filed documents challenging this court's June 20, 2008 dismissal of his habeas petition brought pursuant to 28 U.S.C. § 2254. He requests relief under Rules 59 and 60 and seeks a writ of error. I already have considered and denied identical requests from petitioner in previous orders. In two separate documents filed on June 22, 2008, petitioner asked to appeal the dismissal of his petition. Dkt. ##24-25. I construed these documents as requests for a certificate of appealability and to proceed *in forma pauperis* on appeal, both of which I denied in an order entered on July 3, 2008. Dkt. #27. Petitioner then filed a Rule 59 motion and a letter in which he raised objections to this court's June 20 and July 3 orders. Dkt. #30-31. I construed the motion as one also brought under Rule 60. I denied these motions in an order entered on August 11, 2008. Dkt. #32.

Petitioner has had every opportunity to be heard in this court. He also has filed a notice of appeal in the Court of Appeals for the Seventh Circuit. Accordingly, this court no longer has jurisdiction over this case and cannot offer petitioner any relief. I will not respond to his current filings, which I will place in the file of this case. Further, if petitioner files another motion for reconsideration or relief from judgment, motion to alter or amend or any other document resembling such motions, the clerk of court will be directed to forward the document to me before docketing it. If I determine that the document includes a challenge to petitioner's conviction or sentence and is not accompanied by an order of the Court of Appeals for the Seventh Circuit permitting the filing, then I will place the document in the file of this case without docketing it and make no response to it.

Entered this 21st day of August, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge